## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

BELTEX CORPORATION d/b/a	§	
FRONTIER MEATS,	§	
	§	
Plaintiff,	§	
	§	CIVIL ACTION NO. 4:19-cv-00133
v.	§	
	§	
ROBERT HEATH TRUCKING, INC.	§	
and ROBERT HEATH LOGISTICS, INC.,	§	
,	§	
Defendants,	§	
	§	
v.	§	
	§	
LEGAL FREIGHTLINES, LLC.	8	
	8	
Third Party Defendant	8	
	o	

## ORDER GRANTING DEFENDANTS' MOTION TO DISMISS

Before the Court is the Motion to Dismiss filed by Defendants Robert Heath Trucking, Inc. and Robert Heath Logistics, Inc. Plaintiff's claims arise from the damage, delivery and loss of the interstate shipment of Plaintiff's meat from Texas to California. Plaintiff's claims for breach of contract, negligence, gross negligence, exemplary damages and attorney's fees are preempted by the Carmack Amendment, 49 U.S.C. 14706. Accordingly it is hereby ORDERED that Defendants' Motion to Dismiss is GRANTED, and Plaintiff's claims against Defendants are DISMISSED with prejudice.

UNITED STATES DISTRICT JUDGE

SIGNED this \_\_\_\_\_ day of April, 2019